



Entered on Docket
November 05, 2009

Hon. Bruce A. Markell
United States Bankruptcy Judge

WILDE & ASSOCIATES

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HSBC Bank USA, Natl. Assoc., as Trustee for the holders of Deutsche Alt-A Securities Mortgage Loan Trust, Series 2005-5
09-72232

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA

In Re:

Joshua Carter and Sherry Carter

Debtor(s).

BK-09-15112-bam

Date: 10/27/09
Time: 1:30pm

Chapter 13

1 ORDER VACATING AUTOMATIC STAY

2 IT IS HEREBY ORDERED, ADJUDGED AND DECREED that the Automatic Stay in the
3 above-entitled bankruptcy proceedings is immediately vacated and extinguished for all purposes as to
4 Secured Creditor HSBC Bank USA, Natl. Assoc., as Trustee for the holders of Deutsche Alt-A
5 Securities Mortgage Loan Trust, Series 2005-5, its assignees and/or successors in interest, of the subject
6 property, generally described as 3866 Rolling Cloud Dr., Las Vegas, NV 89115.
7

8 IT IS FURTHER ORDERED, ADJUDGED and DECREED that the Secured Creditor shall give
9 Debtors and Trustee at least five business days' notice of the time, place and date of sale.

10 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that Secured Creditor hereby
11 withdraws its secured Proof of Claim filed in this matter.

12 DATED this _____ day of _____, 2009.

13 Submitted by:

14 **WILDE & ASSOCIATES**

15 By G. Wilde #10235
16 **GREGORY L. WILDE, ESQ.**
17 Attorney for Secured Creditor
18 208 South Jones Boulevard
Las Vegas, Nevada 89107

19 APPROVED / DISAPPROVED

20 _____
21 Matthew E. Aaron
22 2300 W. Sahara, Suite 650
Las Vegas, NV 89102
Attorney for Debtor(s)

23 APPROVED / DISAPPROVED

24 _____
25 Kathleen A. Leavitt
26 201 Las Vegas Blvd. So., #200
Las Vegas, NV 89101
Chapter 13 Trustee

1 ALTERNATIVE METHOD RE: LOCAL RULE 9021:

2 In accordance with Local Rule 9021, the undersigned counsel certifies as follows (check one):

3 _____ The court waived the requirements of LR 9021.

4 _____ No parties appeared or filed written objections, and there is no trustee appointed in the case.

5 I have delivered a copy of this proposed order to all counsel who appeared at the hearing, any
6 unrepresented parties who appeared at the hearing, and any trustee appointed in this case,
and each has approved or disapproved the order, or failed to respond, as indicated below
(list each party and whether the party has approved, disapproved, or failed to respond to the
document):

7 (List Parties)

8 Debtor's counsel:

9 _____ approved the form of this order _____ disapproved the form of this order

10 _____ waived the right to review the order and/or failed to respond to the document

11 _____ appeared at the hearing, waived the right to review the order

12 _____ matter unopposed, did not appear at the hearing, waived the right to review the order

13 Trustee:

14 _____ approved the form of this order _____ disapproved the form of this order

15 _____ waived the right to review the order and/or failed to respond to the document

16 Other Party: _____

17 _____ approved the form of this order _____ disapproved the form of this order

18 _____ waived the right to review the order and/or _____ failed to respond to the document

19 Breach Order:

20 _____ This is an Order Vacating the Stay after the Failure to cure a Declaration of Breach. Copies of
21 this proposed order were transmitted to Debtor's counsel and appointed trustee to which
22 they have not replied

24 Submitted by:

25 /s/ Gregory L. Wilde, Esq.

26 Gregory L. Wilde, Esq.

Attorney for Secured Creditor